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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/414,762	10/07/1999	RAVI ANANT RAVINDRANATH	003239.P048	3818

7590 05/17/2004

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EXAMINER

LEE, TIMOTHY L

ART UNIT

PAPER NUMBER

2662

DATE MAILED: 05/17/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/414,762

Applicant(s)

RAVINDRANATH ET AL.

Examiner

Timothy Lee

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-27,33-35,39-41 and 48-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-27,33-35,39-41 and 48-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 21-27, 33-35, 39-41, and 48-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rainis et al. (US 6,310,873).
3. Regarding claims 21, 25, 33, 35, 39, and 48, Rainis et al. discloses a system that provides telephonic communication over the Internet and PSTN. Fig. 1 discloses a system where a client contacts a directory server when it would like to place a call. The directory server is then responsible for identifying telephony servers that might be willing to handle the call. See also Fig. 2, and col. 4, line 51-col. 5, line 49. Each telephony server handles calls for a specific calling area, and by comparing the receiving party's phone number, the directory server identifies the telephony servers that would be willing to accept the call. The telephone server acts to translate the speech packets sent by the client so that the signal can be sent over standard telephone lines. See col. 7, lines 5-14. Essentially, the servers act as gateways that perform the translation between Internet compressed voice packets and conventional analog telephone signals (gateway adapted to convert IP packets into analog signals and to forward the analog signals via a dedicated communication link between the gateway and the endpoint). See col. 4, lines 37-41. After a server is chosen, the server instructs the telephony hardware to begin the process of calling out to the specified PSTN number. Rainis et al. also discloses that the hardware

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architecture of the terminal devices can include a computer, telephone set, or other similar communication devices (endpoint being one of an IP telephone and a telephone coupled to a terminal gateway). See col. 11, lines 12-23. The user is then notified if the phone is ringing, busy, or when the receiving party picks up (registering a first line of the endpoint with a first communications server; establishing a first telephone call on the first line of the endpoint to a second endpoint via the first communications server). See also col. 6, line 54-col. 7, line 4.

Rainis et al. does not expressly disclose registering a second line of the endpoint with a second communications server and establishing a second telephone call on the second line of the endpoint to a third endpoint via the second communications server, but it would have been obvious to a person of ordinary skill in the art at the time of the invention to register a second line with a second server and to establish a second telephone call. One of ordinary skill in the art would have been motivated to do this because Rainis et al. mentions that another embodiment of the invention provides an Internet telephony system that provides as a gateway into a variety of information sources and value added service like call forwarding, call waiting, teleconferencing, and multi-party calling. See col. 17, lines 22-37. In multi-party calling, the user would most likely attempt to make another call while the current call is in session, hence a *multi-party* call. The process of making another call would follow the procedure already explained above, which includes picking a telephony server and placing the call. If a different server is chosen, then the second call will be completed by registering a second line of the endpoint with a second communications server. Also, Rainis et al. mentions that multicasting is possible, which allows one use to send speech packets to several receiving parties for conferencing. If those parties are in different locales where the different servers are to be used in order to optimize the cost of the

conference call, then a third endpoint will have been reached by a second server in order to complete the multicasting call. See col. 7, lines 5-14.

4. Regarding claims 21 and 48 more specifically, the server contains a conversion database 72 that contains records describing each ongoing or potential conversation. This information includes: user name, user IP address; destination phone number, server IP address; and during of call (register by storing a phone number...IP address). See col. 9, lines 4-10. The connection of a call normally serves as an acknowledgement, but when a call is not completed, the system will also a progress packet to the client software, indicating a call of zero duration and zero costs (responsive to receive a first/second acknowledgment message). See at least col. 15, lines 31-36. Rainis et al. does not expressly disclose recording the MAC address or a logical line address, but it would have been obvious to record these bits of information as well. One would have been motivated to do this because Rainis discloses that additional fields may also be added as well. See col. 9, lines 4-10.

5. Regarding claim 25 more specifically, in order to keep a list of telephony servers it might contact and to identify telephony servers that might be willing to handle the call, the directory server must inherently contain a memory and a processor. See col. 5, lines 24-38. The directory server also receives its instructions to begin the process of finding a telephony server from the client.

6. Regarding claim 39 more specifically, Rainis et al. does not expressly disclose where the first server collaborates with the second server if the first server does not support a requested feature. However, it would have been obvious to have another server provide these services if the first server did have those capabilities. One would have been motivated to do this because

Rainis et al. discloses that while some services may be provided by the telephony servers, other may be managed by directory servers, where the invention may be seen by users as a "one-stop" system for comprehensive delivery of telecommunication services. See col. 17, lines 23-36. If the system is viewed as a "one-stop," then it must be able to provide all of the services a user would expect, and if that service isn't provided by a particular server, then it must collaborate with another server in order to provide the services.

7. Regarding claims 22 and 40, in order to make a multi-party call, this implies that the first telephone call is not disconnected, or it would just be the same as ending the first call and starting the call initiating process over again.

8. Regarding claim 23, if a multi-party call can include a second server and a third endpoint, then it can certainly extend to a fourth endpoint via a third communications server.

9. Regarding claims 24 and 41, Rainis et al. discloses that a "call" occurs when two or more parties communicate or exchange information using telephony equipment. When the handset is removed from the cradle, this is called an off-hook condition, which tells the central office exchange that someone wants to make a call. The central office returns a dial tone to the calling phone to let the caller know that the exchange is ready to accept a telephone number. The telephone set sends the telephone number by dial pulses or by audio tones. A ringing signal is sent to the called phone to alert the called party that a call is waiting. When the called party removes the handset in response to a ring, the loop to that phone is completed by its closed switchbook. See col. 1, lines 10-51.

10. Regarding claim 26, if the line connecting the client to the directory services is part of the endpoint, then the directory services must contain part of the client because the line also connects to directory services.

11. Regarding claim 27, it is entirely possible that the second and third endpoints could be the same endpoint. Rainis et al. discloses that the system architecture allows telephony servers to provide access to overlapping service areas, providing opportunities for competition between telephony servers. Therefore, it is possible to connect two lines to the same endpoint through two different servers. See col. 11, lines 23-30.

12. Regarding claim 34, Rainis et al. does not expressly disclose mapping the first and second lines to keys on the endpoint, but it would have been obvious to map lines to keys. One would have been motivated to do this because mapping the lines to keys provides a way for toggling between the two lines.

13. Regarding claims 49 and 50, Rainis et al. discloses an Internet telephony system, so inherently, the terminal gateway must communicate to the server through an IP address of some sort, whether it be the first call or the second call.

14. Regarding claims 51 and 52, as mentioned previously, Rainis et al. discloses that the hardware at the endpoint can include a telephone set. See col. 11, lines 12-22.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy Lee whose telephone number is (703)305-7349. The examiner can normally be reached on M-F, 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (703)305-4744. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TLL
Timothy Lee
May 13, 2004



HASSAN KIZOU
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